

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

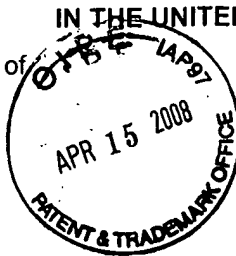
Atty ARC-1417-551
Dkt.

KUMA et al.

Serial No. 10/591,439

Filed: June 6, 2007

Title: PROCESS FOR PRODUCTION OF CUMENE HYDROPEROXIDE



TC/A.U.

C# M#

1621

Examiner: Witherspoon

Date: April 15, 2008

TRW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$210.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$370.00 (1203)/\$185.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)
One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$460.00 (1252)/\$230.00 (2252)
Three Month Extensions \$1050.00 (1253)/\$525.00 (2253)
Four Month Extensions \$1640.00 (1254)/\$820.00 (2254)
Five Month Extensions \$2,230.00 (1255)/\$1115.00 (2255) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/\$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$ 0.00

Assignment Recording Fee \$40.00 (8021) \$ 0.00

Other: \$ 0.00

TOTAL FEE \$ 0.00☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
ARC:eaw

NIXON & VANDERHYE P.C.
By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: _____



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

KUMA et al.

Atty. Ref.: 1417-551; Confirmation No. 1782

Appl. No. 10/591,439

TC/A.U. 1621

Filed: June 6, 2007

Examiner: Witherspoon

For: PROCESS FOR PRODUCTION OF CUMENE HYDROPEROXIDE

* * * * *

April 15, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This is responsive to the Official Action dated January 15, 2008. Claims 1-13 are pending in the application. Of these, claims 1-4, 6-8 and 13 are rejected as being unpatentable over Amadio et al U.S. 6,043,399 while the remaining claims are rejected over the same reference taken in light of a secondary reference.

As explained in applicants' specification and in the remarks that follow, the claims of this present application are directed to a procedure that is patentably distinct from the disclosures of the primary reference and this is especially pointed out by the examples and comparative examples included in the as-filed specification.

As the examiner correctly points out, Amadio describes that the oxidation reaction by oxidizing cumene can be conducted under the condition of higher oxygen concentration and also describes the preferable lower limit of oxygen concentration.

However, as described on paragraph 3, page 1 in applicants' specification the process as it was currently conducted used "air (with its oxygen content of around 21%) as the oxygen-containing gas (which offered at least two benefits) from the industrial standpoint of safety